



July 12, 1999

The Honorable Ed Wheeler
Municipal Court
City of South Houston
1018 Dallas
South Houston, Texas 77587

OR99-1922

Dear Judge Wheeler:

You ask whether certain information is subject to required public disclosure under the Texas Public Information Act (the "act"), chapter 552 of the Government Code. Your request was assigned ID# 127599.

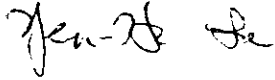
The Municipal Court of the City of South Houston received a request for a "list of all Defendants . . . that failed to appear at there [sic] appointed court date on March 19, 1999." You state that the requested information consists of records of the judiciary, and therefore, is not subject to the act.

Section 552.003(b) of the Government Code excludes the judiciary from the Public Information Act. Therefore, the act neither authorizes information held by the judiciary to be withheld nor requires it be disclosed. *See* Open Records Decision No. 25 (1974). Accordingly, the requested information is not subject to public disclosure under chapter 552 of the Government Code. However, Texas courts have long recognized a common-law right to copy and inspect certain judicial records. Attorney General Opinion DM-166 (1992); Open Records Decision No. 618 (1993). Additionally, the records may be subject to disclosure under statutory law governing municipal courts. *See* Gov't Code § 29.007(d)(4) (complaints filed with municipal court clerk); *id.* § 29.007(f) (municipal court clerks shall perform duties prescribed by law for county court clerk); Loc. Gov't Code § 191.006 (records belonging to office of county clerk shall be open to public unless access restricted by law or court order).

We are resolving this matter with this informal letter ruling rather than with a published open records decision. This ruling is limited to the particular records at issue under the facts

presented to us in this request and may not be relied upon as a previous determination regarding any other records. If you have questions about this ruling, please contact our office.

Sincerely,

A handwritten signature in black ink, appearing to read "Yen-Ha Le".

Yen-Ha Le
Assistant Attorney General
Open Records Division

YHL/nc

Ref.: ID# 127599

cc: Mr. Vincent Rodriguez
General Manager
James Bonds Bail Bond Company
3229 Houston Ave.
Houston, Texas 77009